IMT Nuremberg Archives

H – 146

International Court of Justice

H0146-0002

Official transcript of the International Military Tribunal in the matter of The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany, on June 1, 1946, 1000-1700, Lord Justice Lawrence presiding.

DR. KUBUSCHOK (Counsel for defendant von Papen): May I ask permission for the defendant von Papen to be absent on Monday and Tuesday to prepare his case. He will represented by my colleague Dr. Nelte.

MAX TIMM -- Resumed.

DIRECT EXAMINATION -- Continued.

BY DR. SERVATIUS:

Q. Witness, yesterday we were speaking of the staff conferences. I should like to come back to this question later when we talk about controls.

First I should like to discuss the relationship of Sauckel's agency to the superior agency, I should like to have that explained by you. To whom was Sauckel subordinate?

A. The Plenipotentiary General for labor commitments was under the Deputy for the Four Year Plan.

Q. And what did he have to do with Hitler?

A. He kept in close contact with Hitler and as far as possible he presented his plans to Hitler in personal talks.

Q. Was there constant contact with the Four Year Plan through a liaison man or how was that done?

A. There were various ways to keep contact. There were liaison men from both sides. The Plenipotentiary General sent men of his staff to report to the office of the Deputy for the Four Year Plan and on the other hand, as far as I recall, there were almost constantly delegates of the agency of the Four Year Plan who took part in the staff conferences. In addition, the Plenipotentiary General had personal talks with the Plenipotentiary for the Four Year Plan.

Q. How was the cooperation with the other ministries conducted, with Goebbels, in the first place?

H0146 - 0003

A. The Plenipotentiary General on principle felt it was important to keep as close contact as possible with the other departments and to have his plans and intentions approved beforehand. Cooperation with the Propaganda Minister was not always as good, especially not at the time when the Minister, Dr. Goebbels, was commissioner for the total war effort.

Q. After the proclamation of total war was Sauckel subordinate to Goebbels'

A. Their relationship was not quite clear. As I understood it had to be considered in this way. The commissioner for the total war effort had comprehensive powers for all tasks. In fact, he was superior to the G.B.A. (Plenipotentiary General for Manpower).

THE PRESIDENT: What was the date of the proclamation of total war?

BY DR. SERVATIUS:

Q. Does the witness know when total war was declared?

A. I do not remember the date.

Q. It was about the time after the fall of Stalingrad.

As to relations with Himmler, what cooperation was there with that agency?

A. As for personal relations with the G.B.A. with Himmler I know nother. In Sauckel's labor staff there was a liaison man of the Reichsfuehrer SS, especially on general police questions as far as they might turn up in the labor committment program.

Q. What kind of questions were there?

A. Various questions, especiallythe question of insignia for foreign workers.

Q. Barbed wire questions?

A. Barbed wire questions; all questions which turn up in the police sector.

Q. Problems of labor education?

A. Since I was not an expert on those questions I do not know very much about them as there were not detailed conferences on them.

Q. Now, I should like to go over to relations in the occupied territories. With whom were negotiations carried on; to whom did one turn when making demands in the occupied territories?

H0146 - 0004

A. One had to turn to the district governments whether they were military commanders, Reich commissioners or whatever they were.

Q. What kind of position did the deputies of Sauckel have?

A. The deputies had been intended as men to carry out Sauckel's plans and instructions and to give them direct authorities but this goal was not reached since they were not able to establish their authority. I recall that the Plenipotentiary General, therefore, intended to ask Hitler for more comprehensive powers. I believe I recall that the Plenipotentiary General once announced that he had learned from Hitler himself or his entourage that Hitler was not inclined to extend these powers since the local government, especially the military commanders, did not want to release their responsibility so that the Plenipotentiary General had only one resource, of negotiating directly with these agencies.

H0146 - 0005

Q Why were the deputies not able to exert their authority?

A The deputies could only try to talk with the local governments, but the opposition was so strong that they could not assert themselves.

Q Did these deputies not have another position at the same time?

A Since they could not achieve an independant position by way of negotiations the deputies were generally incorporated into the local administration. With few exceptions they were entrusted with the direction of the labor section, or were incorporated into the section for economy and labor. The military commander in general, used them as administrative officials.

Q This was, to a certain extent, a union of different positions in one person

A The emphasis was on the position of section chief with the local government

Q From whom did this arrangement originate? Was that at Sauckel's suggestion of the local administration?

A As far as I know, this resulted from talks with the local government on the question of the position of the deputies. The local government did not want any men in their districts who were independent of their administration.

Q Then this rather reduced the power of the deputies?

A Their power as orignally planned was doubtless reduced.

Q How did Sauckel exercise his power to issue instructions?

A The power to issue instructions to the agencies abroad was, in general, exercised in this form. Instructions, directives, and decrees were issued in the normal way, through the central agencies.

Q Could he issue instructions concerning everything that happened, or were there other agencies concerned with labor matters?

A At that time, unfortunately, the situation was such that repeatedly, even after the appointment of the plenipotentiary General for Labor Commitments, agencies abroad interfered in labor matters or carried on recruitment; that is, agencies which did not have the power to do so.

THE PRESIDENT: What is he talking about when he says "at that time"?

DR. SERVATIUS: I did not quite understand.

THE PRESIDENT: He said "at that ime" At what time? What time is he speaking about?

BY DR. SERVATIUS:

Q At what time was that?

H0146-0006

A This was at the time arter the Plenipotentiary General for Labor Commitment had been appointed.

Q When was he appointed?

A He was appointed in March of 1942.

Q In what way did the recruiting take place? Was it voluntary? Can you distinguish the types?

A In principle, recruitment was carried out on a voluntary basis because, from the technical point of view -- that is, from the point of view of the use of labor which was recruited -- only voluntary recruiting could lead to success. It was the people who were willing to work who would achieve the necessary production.

Q Was that the point of view which Sauckel emphasized?

A During the whole time that I worked with Sauckel in the Labor Ministry I learned of no events which indicated another point of view. He repeatedly emphasized that the basis of recruitment would have to be voluntary.

Q Did he issue many directives and give many speeches?

THE PRESIDENT: Dr. Servatius, and witness, will you try and pause between the questions and the answers? the

witness' sentences seem to me to be running on, whereas if he would pause it would give the interpreter some chance.

DR. SERVATIUS: Yes.

BY DR. SERVATIUS:

Q. Sauckel issued a number of directives and gave speeches to that effect. Did he not give you more intimate instructions which were stricter?

A. The instructions which we received always agreed in principle with the instructions which he issued to larger circles.

Q. What was the result of voluntary recruiting? How many workers came on the basis of that recruiting; that is, on the basis of the conditions as described to them?

A. Of course, it is not possible for me to give exact figures. If I thing about the matter, I believe I can say that about two to three million workers could be called voluntary workers.

Q. Other workers came on the basis of the Labor Conscription Law which was introduced?

A. Yes.

Q. How high do you estimate the number of these people to be?

A. I can hardly give an estimate. It would have to be about two to three million volunteers.

Q. People were deported too. Are you sure you know what "deportation" means?

A. If I may ask, does that mean the people who were removed for military reasons? I am not quite clear as to what you mean by that.

Q. You do not know what deportations are?

A. Forcible deportations? Yes. I knew nothing about such measures in connection with the activity of the Plenipotentiary General for Labor Commitment.

Q. In connection with recruiting under the labor conscription law, there were a number of serious charges about abuses which occurred. To what extent did you learn of them?

H0146-0007

A. I understand your question to mean abuses in recruiting itself.

Q. Yes.

A. I have no practical knowledge of the recruiting itself. As you said in your question, there were serious abuses. However, so far as I know, serious abuses were not reported to the GBA. Yesterday, in an answer, I pointed out that I knew of the case of the surrounded movie theater, and that I recall no events which surpassed that case in seriousness.

Q. Now I come to conditions in Germany. Have you heard anything about poor conditions there? You probably read the papers and know what these charges mean. Since you were one of the closest co-workers there, what did you learn?

A. Complaints about treatment of foreigners came, through various ways, to the GBA. They referred in general to questions of clothing, food, the barbed wire, which came up repeatedly, and the question of insignia for foreign workers.

H0146 - 0008

Q. Witness, the prosecution is speaking here of crimes against humanity. Are those only things which could happen in normal administration, which occurred daily, or are they catastrophic things which were reported?

A. Again, such things as you call catastrophic did not come to my attention. Then I would remember them.

Q. Who supervised the execution of the orders, and how would it have had to come to your attention?

A. Various agencies were concerned with supervising the occupations of foreign workers. There were five or six different agencies. Especially the German Labor Front, on the basis of a so-called Fuehrer decision, claimed to itself the question of caring for foreign workers. And I may mention that it repeatedly said that on the basis of an assignment of the GBA (the Plenipotentiary General for Manpower) to the German Labor Front, it had a higher right to this task of caring for the workers.

In addition to this basic point of view, there were repeated conversations between the GBA and the German Labor Front on this question. Later these led to an agreement according to which these questions were entrusted to the German Labor Front by the GBA. To settle these matters, the German Labor Front established a central inspectorate which had the task throughout the Reich of caring for foreign workers.

In addition to this central inspectorate, there was also the Office for Labor Commitment within the German Labor Front.

Q. We will come to that in a minute.

A. Yes.

Q. What connection was there, then, between Sauckel's agencies and this inspectorate of the Labor Front? How was the connection established?

A. In the first place, a man of the German Labor Front was their liaison man for Sauckel's staff.

Q. Who was that?

A. That was Huffmann. And in the second place, the central inspectorate for the German Labor Front constantly had talks on its activity to which an official of the GBA was invited.

Q. This liaison man, Huffmann, presumably reported on what he heard from

H0146 - 0009

the Labor Front?

A. Yes.

Q. What did he report?

A. The things which he reported were in the same framework as I pointed out previously.

Q. The German Labor Front already had this task before Sauckel's office was set up?

A. The German Labor Front was of the opinion --

Q. (Interposing). Witness, you must answer me. The German Labor Front had this task before Sauckel came?

A. Yes.

Q. Did it consider that its powers were reduced by the fact that Sauckel was appointed?

A. I was just about to explain that. It considered its assignment a general, comprehensive one; and the newly appointed Plenipotentiary for Labor Commitment concerned himself so intensively with this matter that he himself later did a certain damage to its task.

Q. And was this agreed upon between Ley and Sauckel?

A. Yes.

Q. At whose instigation was this agreement reached?

A. As far as I recall, the suggestion went back to a wish of the German Labor Front.

Q. And what was the aim?

A. Of course, I can only give my personal opinion. I believe that the aim was in any case to express the general competency of the German Labor Front for these tasks.

THE PRESIDENT: Do you have any reasons for referring to the agreement between Sauckel and Ley?

DR. SERVATIUS: It was submitted by the prosecution.

THE PRESIDENT: We have it. We do not want to have his personal recollection of it, do we?

DR. SERVATIUS: The witness speaks too comprehensively. I would like to

H0146-0010

H0146 - 0011

know who suggested it and who drew it up, and when it was signed. There are two dates under this document.

M. HERZOG: Mr. President, the document which is being mentioned now was handed in to the Tribunal. It is No. 1913-PS.

DR. SERVATIUS: It is in my document book, in the first document book, page 79. In the English book it is Page 74.

THE PRESIDENT: What are you after? There is no value in getting the evidence of a witness who said he does not remember in detail about it, about a document which we have before us. It does not seem to me to be in the least bit useful to know who suggested that the agreement should be entered into.

BY DR. SERVATIUS:

Q. There were other inspectorates and assistants. For example, the Gauleiter was plenipotentiary for labor commitment. To what extent did the Gauleiters report things which occurred in their Gaus? Did they report them to the General Plenipotentiary for Labor Commitment?

A. The Plenipotentiary General for Labor Commitment, by decree, appointed the Gauleiters his deputies, with the task of dealing previsely with this matter.

Q. What did they report?

A. We did not receive any written reports from the Gauleiters on this question; at least, not to any great extent. They did not send any written reports; at least, not to our agency.

Q. At this opportunity, I should like to clear up the question of the position of the Gauleiters as deputies for labor commitment to the Gau Labor offices. Was the Gauleiter chairman of the Gau labor office, and what was the relationship of the two?

A. The president of the Gau labor office was, in administration and personnel, doubtless subordinate to the Plenipotentiary General for Labor Commitment, or to the Reich Labor Minister. But the Plenipotentiary General had made it the duty of the presidents of the Gau labor offices to keep close contact with the Gauleiters and to make constant reports on the things which occurred in their districts, especially if there was tension or lack of clarity, and to turn to the Gauleiters for aid.

H0146-0012

Q. If I understand you correctly, the party as such had nothing to do with commitment itself?

A. I should like to say that the establishment of the Plenipotentiary General emphasized the political aspect of labor commitment, and that the Gauleiters concerned themselves, to a greater or lesser extent, with all questions of labor commitment, and other labor matters.

Q. Witness, you will understand that your testimony concerning the knowledge of the events submitted by the prosecution is received with great scepticism. Did you not unofficially hear and see things which did not come to your attention officially, but would have given you cause to investigate them more thoroughly?

A. Of course, one heard here and there of things. Ostensibly foreign workers were treated badly in some ways. As far as such things came to my attention, I have always considered them official matters and held the report correspondingly. In such cases, the necessary investigation was made and the necessary things were done to clear up the matter.

Q. Were these individual cases not symptoms of conditions as a whole?

A. I do not believe so. At any rate, what one man might call catastrophic never came to my attention. As I have already said, there were almost always many things arising from the standpoint of housing, clothing, and so forth.

Q. What as the production and the morale fo the workers?

A. The production of foreign workers varied. The production of the Eastern workers was especially good. The production of the French workers, especially was also very good.

Q. That is enough. Now, I want to come back to relationships to occupied territories. Did you take part in negotiations with agencies in occupied territories?

H0146 - 0013

A Not in the East; a few times in the West. I was on trips in the west a few times with the plenipotentiary General and took part in the negotiations.

Q Were you with him when he visited General Falkenhausen?

A Yes, I was present at the negotiations.

Q Of what nature were these negotiations as far as the atmosphere was concerned? Were they tense, were they friendly, or what were they like?

A The conferences with General Falkenhausen at which I was present were in general comparatively short. I had the feeling that the two gentlemen did not suit each other.

THE PRESIDENT: The question was, were they tense or friendly or short?

DR. SERVATIUS: General Falkenhausen made an affidavit which was submitted her in which he said that Sauckel gave him orders and negotiated with him in a manner which induced him to offer strong opposition.

THE PRESIDENT: If you have General Falkenhausen's affidavit you can show it to the witness.

DR. SERVATIUS: I don't have it here at the moment. I will pass that question.

BY DR. SERVATIUS:

Q You were in France?

A Yes.

Q Were you present at negotiations with the French agaencies?

A I was present at negotiations with Prime Minister Laval.

Q Of what nature were these negotiations?

A These negotiations, one can say, were in a very friendly manner.

Q Did the French not offer any complaints?

A Individual complaints were brought up. I recall that the complaints concerned especially wages.

Q I should like to ask you whether questions regarding threatment, regarding the methods of recruitment, forcible measures, such things, whether complaints were made about them?

A No, I don't recall any complaints of this sort, and I would surely recall them.

Q I have a few more questions concerning Sauckel's relation to the Central Planning Board and to Speer. You yourself repeatedly represented Sauckel with the Central Planning Board, is that correct?

A Yes, several times.

H0146 - 0014

Q What was the position of the Central Planning Board towards Sauckel?

A The Central Planning Board was an agency of the Four-Year Plan. Its task was, as far as the G.B.A. was concerned, to collect the demands for workers of the big users of labor and at regular sessions to adjust these demands. Since the Plenipotentiary General fo Labor commitment could not judge the information of the commitment of the workers for the various sources, this question was decided in the Central Planning Board. An attempt was made, for various periods of time, for as long a time as possible, to work out a balance of workers --

THE PRESIDENT: Defendant Sauckel told us all about this already, didn't he?

DR. SERVATIUS: Yes.

THE PRESIDENT: Then there is no need to go into it with another witness.

DR. SERVATIUS: Yes, Mr. President.

BY DR. SERVATIUS:

Q Do you know Speer's position?

A Yes.

Q What was Speer's attitude to Sauckel and vice versa? Could Speer give Sauckel orders?

A Speer was Plenipotentiary General for Armament while Sauckel was Plenipotentiary General for Labor commitment, and Speer held the point of view that he, as Armament Minister, was competent for all affairs belonging to the production of munitions, that is raw materials, coal, and also labor commitments, and that he must have great influence to these things.

Q Could Speer give Sauckel orders or did he, in fact, give them?

A As I just said, the question was not quite clear.

In fact, there was always a certain tension between the two men because the Armament Ministry more or less wanted to claim the power to issue instructions. Tension was, in general, cleared up through talks or exchanges of letters between the two men. A few times it led to conferences headed by Reichsminister Lammers.

Q What was the result of these conferences?

A These conferences led to agreements which, as far as I recall, were several times taken down in writing and, in my opinion, led to an increasingly strong influence of the Armament Ministry on the labor commitment.

DR. SERVATIUS: I have no more questions to put to this witness.

THE PRESIDENT: Does any other counsel want to ask any more questions?

H0146 - 0015
Price

DR. FLAECHSNER: Dr. Hans Flaechsner, Counsel for Speer.

BY DR. FLAECHSNER:

Q Witness, in connection with your last statement, I should like to ask one question. You have testified to tensions between the Defendants Sauckel and Speer because Speer claimed the right to give instructions. Do I understand you correctly if I assume that the tension arose from the fact that Sauckel energetically disputed this right to issue instructions?

A As I wanted to express in my last answer, the difference consisted in the fact that Speer, as Plenipotentiary General for Armament, said: "I must have control of all things which belong to my field of work. Then it is essential --"

Q I understood that witness. My question is only, did this tension arise from the fact that Sauckel refused to recognize this right to issue instructions which you say was assumed by Speer?

A As Plenipotentiary General for Labor Commitment, Sauckel felt himself competent and responsible for all questions of labor commitment.

Q Did Sauckel not, in regard to demands of the Armament Ministry which he considered unjustified, have the point of view that he was responsible only to the Fuehrer?

A In that regard, I don't remember that. He was Plenipotentiary General --

THE PRESIDENT: Surely this is very far removed from anything we have got to deal with. He says that the tension was cleared up by conferences. What more is there to discuss?

DR. FLAECHSNER: That was the last question which I wanted to ask the witness about that.

BY DR. FLAECHSNER:

Q You spoke of conferences headed by Minister Lammers. In the minutes of the session of 11 July 1944 and of 4 January, 1944, which have been submitted here, there is no mention at all of such differences. I would be grateful to you if you could tell me what sessions with Lammers you have in mind?

A Unfortunately, I cannot give the time of the session exactly. I know only that the Plenipotentiary General for Labor commitment had the wish to report these conditions to the Fuehrer and that the two men, as I recall, agreed that this question should be discussed with the Fuehrer. In order to avoid burdening the Fuehrer with these matters constantly, a conference was held with Reichs-

H0146 - 0016

minister Lammers.

Q You cannot give any details about that?

A I recall, for example, that the question of "blocked industries" in France was discussed.

DR. FLAECHSNER: Thank you.

THE PRESIDENT: Does the Prosecution wish to cross examine the witness?

CROSS-EXAMINATION

BY. M. HERZOG:

Q Witness, were you a member of the National Socialist Party?

A Yes.

Q From what date on?

A In 1933 I applied for admission; my application was denied and, as I recall, in 1934 or '35 it was approved.

Q Have you been a member of the SA organization?

A I was a member of the SA for a short time. Then I left the SA when proceedings were instituted against me in the SA.

Q. Have you been a member of the SS?

A. No.

Q. What were your functions up to the time you entered Sauckel's office?

A. I was employed in the Labor Department of the Reich Labor Ministry, in the Labor Recruitment Department.

Q. When did you first meet Sauckel?

A. As far as I recall, I saw him for the first time when Sauckel visited State Secretary Sirup in the Reich Labor Ministry and all the individual officials were invited to this visit.

Q. At what time did this take place?

A. I can not give the time exactly. I believe it was about a few weeks after the appointment of Sauckel as Plenipotentiary for Labor Commitment.

Q. What was your exact position at the time that Sauckel was nominated?

A. In the main section, Labor Recruitment and Unemployment Compensation. I headed the Labor Recruitment Section.

Q. And at the end, what was your position?

A. At that time I was a Ministerial Counsellor in the Reich Labor Ministry.

Q. Will you tell me where Sauckel's offices were in Berlin.

A. I did not understand the question.

Q. Will you tell me where Sauckel's offices were installed in Berlin?

A. In Berlin Sauckel personally worked in Thuringia House, while the Experts Section, made available by the Labor Ministry, worked in the Labor Ministry in Saarland Strasse, and after a part of the Building had been destroyed, in quarters near Berlin.

Q. Thank you. The offices at 96 Saarland Strasse therefore depended on Sauckel's administration, did they not?

A. The agency in Saarland Strasse 96 was not a new agency. That was the Reich Labor Ministry. The two sections had been made available by a Fuehrer decree to carry out the tasks of the G.B.A.

Q. A document which has at the head "General Plenipotentiary for the Four Year Plan, Labor Department, Saarland Strasse 96" therefore comes from Sauckel's offices?

A. I did not quite understand.

A. A document which has the following heading: "General Plenipotentiary for the Four Year Plan, Plenipotentiary for Labor and --"

THE PRESIDENT: Why not show him the document?

BY M. HERZOG:

Q. I show you document L-61, which was submitted to the Tribunal in the course of the last few sessions. This document bears, as you know, the following heading: At the top on the left, "The Plenipotentiary for the Four Year Plan. Plenipotentiary for Labor. On the top of the right hand corner, "Berlin, Saarland Strasse." It is dated 26 November 1942, and if comes, therefore, does it not, from Sauckel's offices?

A. This document comes from the Plenipotentiary for Labor Commitment; that is, from Sauckel's agency.

Q. Thank you. You have represented Sauckel in the conferences of the Central Planning Office for the Four Year Plan?

A. I represented him, or I went with the Plenipotentiary to take part in the sessions. Not always, but frequently.

Q. When you represented him there, you received instructions before going there, did you not?

A. When we went to more important conferences, we received the announcement through the Thuringia House that there was a session, and we received directives on how we were to represent the Plenipotentiary General at the session.

Q. And when you came back from these meetings, you reported to Sauckel concerning them, did you not?

A. After the sessions, we either reported to him personally or we reported through his personal representatives.

Q. The declarations that you made in the various meetings, therefore, engaged Sauckel's responsibilities, did they not?

A. As an official, it was always my duty when I made reports in a session, I had to ascertain --

Q. That is not what I asked. Will you answer my question? You received

H0146-0018

HO146 - 0019
Haynes

instructions before the conferences; you reported to him afterwards what had happened in the conferences, so Sauckel was responsible for what happened there, was he not?

A. I should like personally to explain --

THE PRESIDENT: Is it not really a matter of law, not a matter of evidence?

M. HERZOG: I will go to the next question, Mr. President.

BY MR. HERZOG:

Q. You declared a short while ago that the conversations at which you had been present in Paris had been friendly conversations. Do you remember participating at the conference of January 12, 1943?

A. At the moment it is not possible to confirm my participation according to the date, but I could know according to the content of the talk whether I was present.

Q. I submitted yesterday to the Tribunal this document which is a document 809 and contains the minutes of this conference. In the course of the conference, Laval, amongst other things, said to Sauckel:

"It is no longer a matter of a policy of collaboration by, on the French side, a policy of sacrifice, and on the German side, a policy of constraint. We can not take any measures of policy without immediately coming up against a German authority which has substituted itself for us. I can not guarantee measures which I have not taken. It is, finally, not possible for me simply to have a power of attorney in the implementation of German decisions."

Do you think that those are friendly remarks?

A. I did not understand the one word.

Q. Friendly questions. You have said that these conversations were friendly. I have given you an extract from these conversations. Do you still say that they were friendly?

A. I can only confirm the spirit of the conferences at which I took part. These statements in the form as given are not known to me.

Q. If you had known them, would you still have said that these were friendly conversations?

THE PRESIDENT: He was not there. He just said that he did not know about

about it. We can judge for ourselves whether the tone of it is friendly.

BY M. HERZOG:

Q. You stated earlier that you had no knowledge of forced deportations.

A. I said that I knew of no forced deportations under the authority of GBA, and I do not know of any.

Q. Do you remember having been present on 15 and 16 July 1944 in Wartburg, having been present at a conference where Sauckel and a number of other presidents of general offices and people cooperating with him were present?

A. The conferences of the presidents of the Gau Labor Offices? I was there for this conference.

Q. Thank you. Do you remember having spoken there?

A. Yes.

Q. Do you remember making statements on methods of recruiting?

A. I do not recall that, not from memory, no.

Q. I will have submitted to you Document 810, which I submitted under the Number RF 1507 yesterday. The Tribunal will find it on page 10, the extract which I want to submit to the witness.

You said -- You were speaking of the conversations which the General Plenipotentiary for Labor was having with the Army concerning the Army's co-operating with recruiting, and you said:

"The Fuehrer has approved the use of measures of coercion to the fullest extent."

Do you contest the fact that you knew of this? That you knew that workers were being recruited for forced deportations?

A. I ask for a moment's time. I have not yet found the place.

This is a record taken by some one present, presumably the military commander of Paris. I do not have my statement on this question at hand, but I imagine that the Plenipotentiary General --

Q. Will you look higher on page 8, paragraph 4?

A. Page 9, yes.

Q. Under Roman IV, on page 8:

"Concerning the utilization of European labor, the problems which arise

H0146-0020

therefore under me and processes which can be used --" "Timm made the following remarks: First in Northern Europe. Second, in the Southeast. Third, in Italy. Fourth, in France,"

Then we reach the passage about which I am asking you to give us an explanation, because you made this statement. Will you answer me? Do you still contest the fact that you had knowledge of the fact that these deportations were forced?

A. I have no intention to deny anything. I can only say that Sauckel did have powers from the Fuehrer to take all sensible means to activate the obtaining of workers. Measures were instituted and carried out in France, in agreement with its Prime Minister at that time, which one might be able to call compulsion.

Q. Thank you. I have one last question to ask you. In this quotation you say, "The Fuehrer has approved-- ". If the Fuehrer has approved, it means, therefore, that it had been proposed to him. Is that not a fact?

A. As far as I can remember, Gauleiter Sauckel always reported the results of his talks in Paris to the Fuehrer. It is possible that he brought up the question of methods or recruitment, which he had discussed with Laval, and that he reported to the Fuehrer, and it was customary, as I said in introducing my testimony, that he asked for approval from the Fuehrer of certain measures so that he would not work in opposition to the Feuhrer's ideas.

Q. Thank you.

M. HERZOG: No more questions.

RE-DIRECT EXAMINATION

BY DR. SERVATIUS:

Q. Witness, the document which was submitted to you, L-61, from Saarland Strasse, is not here in the original, but it says, "Signed Sauckel". The defendant Sauckel has informed me that it is possible that he did not sign it himself, but that he was only generally informed. That is, that there were so many letters that were normally mailed that he gave authorization to sign. Is that not true?

H0146-0021

H0146 - 0022

A. It was so --

THE PRESIDENT: Did Sauckel state that in evidence, or are you telling us simply what he said to you? Do you remember?

DR. SERVATIUS: I can not say exactly whether he stated that here.

THE PRESIDENT: Go on then.

BY DR. SERVATIUS:

Q. Answer the question.

A. Yes, it happened as Sauckel continued his functions as Gauleiter in Weimar that things did not reach him. The section in Saarland Strasse presented its drafts to the personal representative in the Thuringia House, and I know from my own knowledge of the conditions that the contents of the drafts was transmitted by telephone and that the personal representative was authorized to sign the name of the Plenipotentiary General.

H0146 - 0023

Q Was the mail so extensive that he did not have any exact knowledge of individual letters?

A That is hard for me to judge.

Q That is enough. One more question---Fuehrer, Sauckel, Speer. Is it true that the defendant Sauckel told you that the Fuehrer had ordered him to fulfill all Speer's demands?

A Whether such statement was made directly, I don't know.

Q The document was submitted in which Laval complained about the attitude or of the conduct of the German agencies. Did this complaint refer to Sauckel's activities or wasn't it so that these complaints were reported in that he thanked Sauckel for his attitude?

A I recall from the talks of Laval, that Laval repeatedly expressed to Sauckel his gratitude for the fact that measures suggested by him had been put into effect. Specifically, Laval was always interested, as he said, in clearing up the climate and the atmosphere and that he wished to have talks with Hitler himself as soon as possible and he asked Sauckel to open the way for him. As far as I know, Sauckel carried out talks of this kind and Laval thanked him for doing so.

DR. SERVATIUS: I have no more questions for this witness.

BY THE TRIBUNAL (Mr. Biddle):

Q The job of the GBA was to get workmen to replace the men who had been taken into the army out of industry. That was largely your work, was it not?

A The task of the GBA was much more comprehensive.

Q Well, I understand, but that was part of your work, was it not?

A Yes.

Q All right. Now, you were therefore told beforehand the number of people that the army was taking out of industry, weren't you, so you could make up your estimates?

A The numbers were adjusted in the Central Planning

H0146 - 0024

Board. That was the task of the Central Planning Board.

Q Wait a minute. I don't care who examined the figures, but your organization certainly had knowledge of the needs of the army, of the number of people the army was taking out of industry. You had to have that information, didn't you?

A The number of men to be drafted was reported to the Central Planning Board.

Q Reported to the Central Planning Board. Now, then, they were taking people out of industry also who were not needed for the army, weren't they? I mean Jews. They were taking Jewish people out of industry, were they not? Sauckel said yesterday that Jewish people were being taken out of industry. You admit that, don't you?

A Yes.

Q All right; and I suppose the Central Planning Board was given the number of Jewish people that were taken out of industry, were they not?

A That is not known to me. In the sessions where I was-

Q Don't you assume that that must have been the case if they had to find the number of replacements. It must have been so, was it not?

A I can't judge that because I only learned the total number of men to be drafted but independently of the Jewish question---I can't make any personal judgment on that.

Q Don't you know that Himmler and the SS told the Central Planning Board the number of Jews that were being taken out of industry for whom replacements were needed? You know that as a fact, don't you?

A No.

Q You don't?

A No. I know only that we received certain figures from the Reichsfuehrer SS that the forces had been withdrawn and through the objection of the Plenipotentiary General, I recall, these measures were in part withdrawn.

H0146 - 0025

Q And you do know that one of the duties of the Reichsfuehrer SS was to withdraw Jews from industry; you know that.

A I know excerpts from reports that Jews were to be withdrawn from industry.

THE TRIBUNAL (Mr. Biddle): That is all.

THE PRESIDENT: The witness may retire. The Tribunal will adjourn.

(A recess was taken.)

DR. SERVATIUS: With the permission of the Court, I now call the witness Hildebrandt.

HUBERT HILDEBRANDT, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name.

A Hubert Hildebrandt.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY DR. SERVATIUS:

Q Witness, you were working in the office of Sauckel, is that correct?

A Yes.

Q You were subordinate to him?

A Yes.

Q What was your special field?

A In the Reich Ministry of Labor, from 1930 I worked in the field of iron and metal economy, and textiles, and after 1940 I also dealt with questions of western workers.

Q That is, France, Belguim, and Holland?

A Yes, some of those questions.

Q You must remember to pause before you answer.

Q Did you have general information about the happenings in the office of Sauckel?

A No, I did not have that.

Q But you participated in the staff conferences?

A Yes, generally I was present.

Q And in that way you found out, to a certain extent, about the happenings in other offices?

A Yes.

H0146 - 0027

Q I want to ask you especially about the conditions in France. What was the position of the General Plenipotentiary for Manpower in France?

A The General Plenipotentiary for Manpower in France, just as in other occupied countries, had appointed special plenipotentiaries who carried out his tasks and demands. Some of the organizations of manpower commitment were in the hands of the military and civil administrations there in the occupied territories.

Q So he did not have an organization of his own?

A An organization of his own? The first plenipotentiary in France tried to establish an organization of his own, but after a short time Laval met the opposition of German civil administrative offices, and the various offices which he had established were taken over by the military commander.

Q What was the position of the military commander?

A The military commander was, and remained responsible for the entire commitment in his district, and also for the commitment of labor from his district to Germany/

Q What was the position of the German Embassy in that respect?

A The German Embassy took part in all negotiations which were carried out by the General Plenipotentiary or his special plenipotentiaries with French Government offices.

Q What was the part of the French Government in labor commitment?

A The French Government made agreements with the General Plenipotentiary for the carrying out of his programs and ordered their own offices to carry out these tasks. When the labor draft was established in France, it published the necessary decrees and gave the necessary directives to the subordinate offices.

Q And who had the executive power to recruit manpower? Was that done by the French or the Germans?

A One has to distinguish between two periods. When it was still a question of recruiting volunteers, until fall 1942, these volunteers could come to German offices as well as to French offices, and also to recruiting offices which had been established by German firms and by parts of the armed forces. After the introduction of the labor draft, the administrative executive power rested only in the French offices.

H0146 - 0028

Q And what happened when somebody did not come as they had been ordered to?

A- Then they were again summoned to appear by the French offices, and if that proved to be unsuccessful, then the French offices called the French police into action.

Q Were those who did not come brought before the courts?

A I assume that that may have happened. I don't know for certain.

Q German or French courts?

A French courts, because that was a French decree.

Q What was your estimate of the voluntary workers who came from France to Germany?

A The number of voluntary workers from France, until the middle of 1942 -- and that I can say only approximately from memory --

Q That is sufficient, to give approximate figures.

A --- was about 200,000. After the labor draft had been established during 1942, at the same time there were voluntary recruitments to a large extent. The number of volunteers was, at times, much larger than the number of draftees, so that all together, more than half of all labor recruited in France were volunteers.

It is remarkable that women were only recruited if they had volunteered. There was no labor draft for them.

In the case of the draft, it has to be pointed out, furthermore, that the drafting of a large number was only a formality. In reality, these people also had come voluntarily, but for economic reasons or for reasons of consideration for relatives and friends, they wanted it to appear as if they had been drafted. We had draftees who asked for that. Especially during the last months before the end of the war we received such requests at the German labor offices, and the Foreign Office put the request to the General Plenipotentiary to approve such demands, and that happened.

Q In your field, did you hear anything about recruitment measures such as the surrounding of churches and movie houses in France?

A No, such measures of recruitment are not known to me. I only know that in France as well as in Belgium there were checks made among people of the age groups which had been called in the draft.

H0146-0029

Q You probably were in Paris, also, and you spoke with the German officials there, is that right?

A Yes. Every time I was in Paris I saw to it that I spoke with members of our offices about current events.

Q Didn't they tell you about things which should have surprised you?

A Yes, in the same manner as we carried out any of our tasks. We haddifficulties in special cases. Once it was reported to me that in a camp for people who were about to be transported to Germany, there were impossible conditions. That was reported immediately to the commandant of Paris. Thenit happened again on the occasion of recruitment in another locality, and that was stopped also.

Beyond that, a number of individual cases were reported, where there were difficulties about vacations, salaries, and so forth, always which I transmitted to the particular offices.

Q Was that part of your task, to follow through these things?

A As far as they fell into my field, I took thenecessary steps. As far as other departments had to do with it, it was immediately transferred to these departments.

Q Witness, I did not ask what you did, but whether it was your duty to be concerned about these things.

A In the field of my duty were the general problems of recruitment and statistical control. Questions of housing, pay, and transport were dealt with by other departments. Of course, when I found out about bad conditions it was my duty to investigate them, and in the interest of further recruitment we considered it very important that each one of these perpetrations was stopped, because only then could we be assured of further recruitment. The draft was always considered the last possibility.

Q Witness, I would like to know whether it was your official duty or your moral duty to worry about these things?

A In this case, it became my moral duty as well as my official duty.

Q Concerning the carrying out of transports, I have one question. Mention has been made of poor conditions on transports. That is why I would like you to tell us how the transports that came from France were conducted and cared for.

H0146 - 0030

A Yes. For the carrying out of transports, the military commander established a special department. For each individual who went to Germany, it was certain from the outset to what industry he was to be sent, because the recruiting was done on the basis of contracts, and labor conditions had been worked out. It was definitely known over what route he was to be transported. Transports were arranged in such a way that as many people as possible were on the same transports who went in the same direction and to the same firm.

Q Witness, these details are of less interest to me than the question of how you conducted these transports and controlled it so that nothing happened on these trips.

A In giving a few details, I only wanted to emphasize that down to the last detail records were kept of every person who was supposed to go to Germany. Detailed lists of the persons and firms to which they were sent were made and given to the people who accompanied the transports to the point of destination, and there they were given to the representatives of the provincial labor offices who had to care for them further on.

Q I should like to put to you a very drastic case. A case has been reported here where a transport was stopped in the Saar district in the winter. The doors were opened after a few days, and most of the people had been frozen to death.

Did you have any control over such transports? Was that supposed to have been reported to you? Is it possible that that was a train which was sent upon your orders? How can you explain that?

A Such an incident would have become known to us immediately. Since the transports had been announced before, we were informed about them immediately. That is, we were informed immediately when transports did not arrive. That happened frequently. If, on account of emergencies en route, transports were stopped, -- for instance, in the last years of the war for the removal of bomb damage or obstructions of traffic -- then we made investigations about the transports, and that was always done.

The case which you have just mentioned is not known to me.

Q Witness, you must speak more slowly. The interpreters cannot possibly follow.

H0146 - 0031

Will you state your position on the incident which I have described, that train with people who froze to death in the Saar District.

A. That incident could not possibly have occurred on transports of labor recruits. Those transports were well prepared.

Q. You have said that before.

A. Yes.

Q. How do you explain then, the case of that one transport?

A. This is the first time I have heard about that. I have heard through the press during the last few months, that the SS also conducted transports to Germany in which such conditions as you have just described prevailed.

H0146 - 0032

Q Witness, were you present during negotiations with Laval?

A Yes, I was frequently present.

Q In what kind of an atmosphere were these negotiations conducted?

A These negotiations were conducted in a very friendly manner, but occasionally, especially when promises on the part of the French Government had not been kept, it came to violent disputes. But real difficulties did not obtain in the course of these negotiations. Arrangements were made concerning the number of people who were to be sent to Germany, and Laval and the French people always were willing to put manpower at the disposal of Germany.

Q And what, particularly, was the relation of Laval and Sauckel? Did Laval make favorable statements concerning Sauckel?

A Laval explained frequently the advantages which had been achieved for France; for instance, the provision for prisoners of war by the Reich as French workers. All these things occurred as I have said, in the form of arrangements where one party put labor at the disposal of the other and the other party had granted advantages. Laval stated repeatedly that he would like to do more for Germany and he could do more if he would be granted political advantages. Therefore, he asked the German plenipotentiary repeatedly if he would make contacts with the Fuehrer in order to create a better atmosphere for the further cooperation between France and Germany.

Q Did that friendly atmosphere prevail until the end?

A Until the last negotiation, which I think took place at the end of 1944.

DR. SERVATIUS: Mr. President, I believe the question of relief and transformation has been clarified considerably, so that it is not necessary to ask this witness any questions about them.

BY DR. SERVATIUS:

Q Witness, you can be very brief.

A I only want to say the following: Of course the military commanders, such as in Holland, would rather accept demands for possession rather than send manpower to Germany, and that led to difficulties, because they had to be persuaded that manpower had to be sent to Germany because of agriculture, which could not be carried out in Holland.

Q Concerning Belgium and Northern France, a few questions: was

H0146 - 0033

the position of Sauckel there, the realtion between Sauckel and the local administrations, the same as in France generally; and was everything conducted similarly, or were there any differences?

A No, they were the same conditions as in France, only that the German plenipotentiary was incorporated into the military administration; that is, he was a part of that military administration.

Q And in that field did you receive any reports about unfavorable conditions?

A Yes. There were such conditions. So, for instance, I was informed one day that reprisals had to be taken against relatives of people of age groups which had not followed the draft call. We stopped that, partly, in conversations with the representatives of the military commander.

Q And how did Sauckel negotiate with the military commander?

A He presented his demands to von Falkenhausen. Of course, it was also understood that demands be carried out in Belgium, that he understood also that manpower had to be sent to Germany. However, mostly he tried to protect students and mambers of younger age groups.

Q Witness, I put to you the minutes of an interrogation of General von Falkenhausen on 27 November 1945. I want you to look at a few sentences. If you take page 2, you find there in the middle of the page --

THE PRESIDENT: What is that number?

DR. SERVATIUS: It is the number R. G. 15.

BY DR. SERVATIUS:

Q It is the following question: "Is the witness in a position to inform us about the limitations of his powers and the competence of Manpower Commitment Administration?" Answer by General von Falkenhausen: "Up to a certain time there was a labor office in my district which was concerned with the recruitment of voluntary workers. I cannot remember the exact date any more. It may have been in the fall of 1942 when that labor office was subordinated to Sauckel; and from then on I had only to carry out the orders received from him."

Is this explanation of the position of the military commander von Falkenhausen correct?

A It is incorrect in several points. In Belgium there was not one

H0146-0034

labor office but a number of labor offices and also recruitment offices; but these labor organizations from the very beginning were under the supervision of the field commanders in Belgium. These field commanders' offices were offices of the military commander. A transfer of the task rendered the task for the German plenipotentiary -- not only was it subordinate to him, he only could send his demands, his requests, to the administration of General von Falkenhausen, but not directly to a labor office.

Q What were conditions in Holland? Who was competent for Holland?

A That is Reich Commissioner.

Q And there was a plenipotentiary of Sauckel with him?

A Yes, a plenipotentiary was appointed there also, who was a representative of Reich commissioner.

Q Who issued the labor decrees there?

A The Reich commissioner.

Q And who carried out the recruitment, German or Dutch officials?

A Those were Dutch offices, and the chiefs of these offices were Germans; the rest of the personnel essentially Dutchment. These offices took the necessary steps for the recruitment.

Q Now, I have one more question concerning Germany. The metal industries were a part of your field, weren't they?

A Yes.

Q Krupp, for instance.

A Yes.

Q What do you know about the conditions in the Krupp works concerning the care and comfort of the worker?

A I have not had any unfavorable reports about Krupp. The citizen representative of Germany visited the Krupp Works frequently and reported about the reports and impressions that he had received, and never mentioned anything about the care and comfort of foreign workers; nothing unfavorable. I myself have never come to the firm Krupp during the war.

DR. SERVATIUS: I have no more questions, Witness.

THE PRESIDENT: Do any of the German Counsel want to ask questions? Prosecution?

M. HERZOG: Mr. President, we still have the same problems here. The Tribunal has already heard explanation on these problems. The Tribunal

H0146 - 0035

is in possession of a document which I have submitted and I have, therefore, no questions to put to the witness.

THE PRESIDENT: The witness can retire.

DR. SERVATIUS: Then with the permission of the Tribunal, I call the witness Stothfang.

WALTER STOTHFANG, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q Would you state your full name?

A Walter Stothfang.

Q Will you repeat these words after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT: You may sit down.

H0146-0036

BY DR. SERVATIUS:

Q Witness, what was your position with Sauckel?

A I was with the General Plenipotentiary for Manpower as personal assistant.

Q When did you assume that position?

A One year after the General Plenipotentiary for Labor Commitment had assumed office; that was on the 19th of April, 1943.

Q Was the witness Timm there when you came?

A Yes.

Q The witness Hildebrandt?

A Yes.

Q What orders did you receive when you came?

A The General Plenipotentiary for Manpower did not give special, personal orders because his principles could be clearly seen in his decrees and his program, and I only started that work one year later.

Q Before that, had you been in the Labor Ministry?

A Yes, I had been connected with that type of work since 1926; for eight years I was the personal assistant of the State Secretary, Dr. Syrup, in the Reich Labor Ministry.

Q Was that an essential change when you came to Sauckel?

A No.

Q What did your collaborators in the office tell you about the entire work and the attitude of Sauckel to the work?

A The work, as such, was carried out within the framework of the principles and decrees, which were not essentially different from previous principles. Practically, of course, as far as the dimensions were concerned, they weren't far beyond anything previously done.

Q Did you work very closely with Sauckel in your field? You were his personal assistant.

A As far as the carrying out of the tasks of the General Plenipotentiary for Manpower was concerned, he was not only General Plenipotentiary for Labor Commitment, but at the same time he had remained as personal Referent, or advisor to the Reich Government, and he was Reichsstatthalter for Thuringia. Besides that, during the last year and a half

H0146-0037

of his activity he was very much concerned with the establishment of an industry in Kala, in Thuringia.

Q Perhaps we can come back to that later.

A Therefore, he could only be in Berlin at times, at the most one day a week, and sometimes only a half day.

Q And what was your task as personal assistant?

A We had to handle the incoming mail; we had to go through it and pick out that which had to be reported, as well as the mail which had to be passed on to other departments, and to present new plans to the Plenipotentiary.

Q Who called staff conferences? Do you know that?

A That was generally done from the office.

Q You participated in all these conferences?

A Yes, from the moment when I first came into the office.

Q Did you participate in conferences where individual members had returned from inspection trips and reported?

A Later, yes. That happened quite frequently, but more often in the beginning.

Q That you were present, or that inspection trips took place?

A No, that reports were made.

Q There were fewer reports made later?

A Yes.

Q What was the reason for that?

A The reason is not known to me.

Q During the period when you were present, did particularly surprising reports about bad conditions in Germany come to your knowledge; that is, as to camps and places of work in industries?

A I found out about some of these conditions on the occasion of inspection trips which I made under orders, that was at once discussed with the competent offices and corrected.

Q Sauckel had to work with a number of offices. Was there a specific amount of opposition against his work?

A With the exception of two cases, no.

Q What cases were those?

H0146 - 0038

A For one, the Party Chancellery; and the other was the Reichsfuehrer SS and Chief of the Secret State Police.

Q Do you know of specific cases, speaking of the Reichsfuehrer SS?

A The general treatment of foreign workers, particularly those coming from the East, so far as the principles of the Reichsfuehrer SS were carried out, was contrary to the attitude and the principles of the General Plenipotentiary for Labor Commitment. The Reichsfuehrer SS was not inclined to accept the far-reaching, positive demands of the General Plenipotentiary for Labor Commitment. The same was true, in other fields, of the head of the Party Chancellery.

Q What fields were those?

A For example, social security, or social insurance. In that case the Party Chancellery was of the opinion that an equality with German workers in fact, and for political reasons, was not justified.

Q And what did Sauckel say?

A He tried, again and again, to reorganize all these matters on the basis of his principles. In part he was quite unsuccessful, but in part he was successful, after great efforts.

I want to remind you of the equality of Eastern workers which, practically, was only carried out in March of 1945 by decrees.

Q Did the Gauleiters who were appointed as Plenipotentiaries for Labor Commitment send special reports to you, or did you speak to the Gauleiters?

A There was a directive that on the occasion of an inspection trip the competent Gauleiter of the district cited had to be present, and the current questions had to be discussed with him.

Q Did you take part in meetings of the Central Planning group?

A I only went to a meeting of the Central Planning group once with the General Plenipotentiary for Labor Commitment.

Q Witness, you have just mentioned March 1945 as the year when equality was achieved for the Eastern workers with the rest of the workers. Aren't you mistaken? Wasn't it the year 1944? I will put the decree to you

A As i remember it, it must have been March 1945.

DR. SERVATIUS: Mr. President, I will have it presented to the witness

H0146-0039

in a moment; we are looking for it.

BY DR. SERVATIUS:

Q What was the relationship between Speer and Sauckel?

A Apparently the appointment of the General Plenipotentiary for Labor Commitment was made upon a suggestion which Minister Speer had made to the Fuehrer.

DR. SERVATIUS: I refer to document 58, in document book number 2, page 167 of the German text, and page 156 of the English text. That is the decree concerning conditions of employment of Eastern workers, of March 25, 1944, and I read paragraph 2:

"Remuneration for work.

"The same wage and salary conditions apply for the Eastern workers as for the other foreign workers. Eastern workers are paid wages only for work actually done."

THE PRESIDENT: How did the wages compare with the wages of the German workers?

THE WITNESS: It was a regulation that the German wages for the same type of work should be the basis, in order to avoid additional profits for the industries which used Eastern workers.

BY DR. SERVATIUS:

Q Do you remember a conference during which Goebbels stated to Sauckel his position concerning the policies of Sauckel?

A Yes.

Q Can you describe that to us?

A I did not take part in that conference: I only know about it from the description given by my colleague, Dr. Hildebrandt, who participated in that meeting with Gauleiter Sauckel. It was the first meeting between the two gentlemen after Reich Minister Goebbels had become Reich Plenipotentiary for Total War. During that conference Minister Speer was also present, and, in the course of that conference, Minister Dr. Goebbels reproached the General Plenipotentiary for Manpower.--

THE PRESIDENT: He is now telling us, is he not, what Hildebrandt told him?

DR. SERVATIUS: Yes.

H0146 - 0040

THE PRESIDENT: Well, Hildebrandt has been in the witness box and he hasn't been asked about it.

DR. SERVATIUS: These two witnesses came only for a very short time, and I ask to be permitted to have this witness say what Hildebrandt told him.

That can be explained by the fact that the witness was here for only a very short time.

THE PRESIDENT: Dr. Servatius, the Tribunal does not think that you ought to be allowed to ask him that question.

BY DR. SERVATIUS:

Q. Were there any difficulties with Speer?

A. Not at the beginning. In the course of years, difficulties arose --

THE PRESIDENT: (Interposing) We have had the relationships between Schacht and Speer gone into elaborately.

DR. SERVATIUS: Yes. I will withdraw that question.

BY DR. SERVATIUS:

Q. Did you office have anything to do with the commitment of concentrati camp inmates?

A. No.

Q. Did you not receive reports about the fact that manpower disappeared from industry, and then was converted into concentration camp inmate groups?

A. No, I did not receive any reports about that.

Q. Is it known to you that concentration camp inmates were committed in large numbers for work?

A. That was the general practice, to put inmates to work.

Q. You did not receive any reports about that, did you?

A. An effort was made to gain influence to such an extent that reports should be sent to the offices of the labor administration, so that they could be considered in relation to the general manpower commitment. But these report were not received by the labor offices.

Q. Then I have only a few more questions concerning the control offices which had been established in order to investigate conditions among the worker

Do you know how far foreign workers themselves were included in that control system? I am thinking of the office of Ambassador Scapini. How did these offices work? Did you hear anything about it?

A. Nothing was known to me in detail about the offices of Ambassador Scapini. I think this existed, but to my knowledge that office of Scapini was concerned with the care for French prisoners of war, rather than with the care of French civilian workers, because for the latter a special civilian office

HO146 - 0041

H0146-0042

under the leadership of Mr. Bruneton was established. But generally there existed a representation of foreign workers within the German Labor Front. However, there were so-called Reich liaison offices which were in existence from the central office through the Gaus, all the way down to the lower level, and there were several people employed in each of these liaison offices who investigated and negotiated with the offices of the German Labor Front or other offices of the labor administration.

Q. These were German employees that you mentioned?

A. No: they were foreign employees, in fact, from almost almost all countries.

Q. Within the industries, were there representatives of the workers who had contact as liaison men with the supervisory offices of the German Labor Front?

A. Not to my knowledge.

Q. For the Eastern workers, there also existed a control office. Do you know of that office?

A. That was with the office of Roseberg; and there was a special office for that purpose.

Q. How did that office work? Did you get any information about that?

A. Yes. It had continuous contact with the competent offices of the labor administration.

Q. And whom had this office to contact if it had complaints? The Labor Front, the office of Sauckel, or the office of the Minister of Labor? To whom did they have to go?

A. That depended on the kind of complaints which were to be made.

Q. I will give you an example: complaints about labor conditions.

A. In that case, on had to go first to the local labor office to have the conditions examined and investigated, and to get clarification about the actual conditions.

Q. And if it dealt with questions of housing and nutrition, to whom did one go?

A. First to the offices of the German Labor Front, which, in a decree of

H0146-0043

the General Plenipotentiary for Manpower -- I believe it was Decree No. 4 -- was charged with the care and comfort of workers.

Q. And did the Labor Front report to you?

A. No. They investigated these things first on their own, and tried with a great deal of confidence to have them straightened out.

Q. Then the Labor Front itself, in fact, acted as the highest authority for questions and complaints about the care and comfort of the workers?

A. If you want to say it like that, yes.

Q. Who supervised the treatment of prisoners of war? Was there any complaint department there?

A. No.

Q. Who had charge of that?

A. The high command of the armed forces.

Q. The Reich inspectorate was also a control office. What did Sauckel have to do with the Reich inspectorate?

A. That must be an incorrect expression. I do not know what kind of Reich inspector do you mean.

Q. I mean the inspectorate for the trade.

A. As a matter of principle in Germany, for the conditions of labor in industry, these inspectors for the trade were competent. As far as protection of labor within the industries was concerned, they had to see that decrees issued were carried out. Therefore, in case of complaints, they were competent in that field.

Q. Was Sauckel accused by other offices that he was doing too well for the workers? And was there not a certain amount of envy of foreign workers?

A. Yes. Such accusations or reproaches came from three places -- of course, from the two places that I have mentioned before, in the two instances of the objections and the resistance against demands which were considered to be going too far, and from the office of Bormann and the office of Himmler. That went so far that the General Plenipotentiary for Labor Commitment was accused of being slightly inclined to bolshevism.

DR. SERVATIUS: Then I have no more questions of this witness.

H0146 - 0044

THE PRESIDENTL Do any other defense counsel wish to ask any questions?

(No response)

THE PRESIDENT: Does the prosecution wish to?

(No response)

THE PRESIDENT: The witness can retire.

DR. SERVATIUS: Mr. President, I do not know whether the witness Jaeger has arrived yet.

THE PRESIDENT: I am told not.

DR. SERVATIUS: I assume that he will be here by Monday, and I would suggest that I be permitted to submit some more documents, or maybe that I be permitted to use an interrogation of the witness Goetz which is also in the document book, and may be permitted to refer to several passages. It is a very long affidavit, and it throws some light on the matter.

THE PRESIDENT: You probably have some remarks to make about your documents, have you not, which will take you up until one o'clock?

DR. SERVATIUS: Yes.

Mr. President, the document book contains primarily the decrees which Sauckel issued, and they are evidence of what has been told here by witnesses and by the defendant himself as a witness. As far as possible, the book is subdivided in various fields; but since the decrees were issued frequently about many fields at one time, that also holds true for the book.

I refer principally to Volume I, to all the decrees included there, which I do not want to read in detail. I should only like to emphasize the decrees about police matters. That is Document 6, which is on page 16, Document 10, on Page 22, and Document 14, on Page 25.

H0146 - 0045

THE PRESIDENT: You understand that you must offer in evidence each document or number of documents that you want to put in evidence? It is not sufficient to put it in your document book. So if you state the document which you wish to put in evidence.

DR. SERVATIUS: Yes, Mr. President. These documemnts are contained in a collection of laws and decrees which has already been submitted.

THE PRESIDENT: The whole thing you mean? The whole thing has been submitted?

DR. SERVATIUS: It has as far as I know. That is Document 3044 PS, Enactments, Regulations, Announcements.

THE PRESIDENT: Well, probably only a small part of 3044 PS has been read and therefore, unless it is translated into the four languages, it doesn't form part of the record. Dr. Servatius, if you will go into the matter and offer what you want to offer in evidence on Monday morning, that will be quite satisfactory.

DR. SERVATIUS: Very well. Now may I refer to them and then I will present the documents on Monday?

THE PRESIDENT: Yes.

DR. SERVATIUS: These enactments of the Reichsfuehrer SS and decrees I have submitted in order to show how, in this difficult field also, an improvement had been achieved. Decree No. 6 was issued shortly before Sauckel came into office and one has to consider that in order to show a fait accomplit. The next decree, that is document No. 10, shows already an improvement. It deals with the barbed wire and the leave that the workers are to be given, and that, of course, is loosened in the next document. Document No. 15, that is Decree No. 4 which has already been submitted, that is probably the most important first decree, which gives the principal outlines of methods of recruitment as well as of transportation and treatment in Germany. Decree No. 16 deals with the commitment of Eastern workers and gives the first principal regulations, because until then a definate legal regulation which would have been uniform did not exist.

Then I come to document No. 19, which is on Page 54 in the English text. That is a decree and a circular letter from Sauckel to the Gau Labor offices and the Gauleiters of 14 October, 1942, concerning good treatment of foreign workers. This letter is an intervention on the part of Sauckel to remove poor conditions and to correct points of view of which he had been informed. I quote here in the German text on Page 19 the following: --

THE PRESIDENT: Well, that document has been quoted already I think, hasn't it

DR. SERVATIUS: In part, the document has already been mentioned.

THE PRESIDENT: Which part has not been quoted?

DR. SERVATIUS: That is Page 52 in my book; in the English text, Page 54.

THE PRESIDENT: Page 54 is only the heading.

DR. SERVATIUS: Yes, the heading, the decree and letter of 14 October, 1942, and on the next page the text begins. The first page contains only the heading.

THE PRESIDENT: But Page 55 in the English text, the beginning of the document has already been read.

DR. SERVATIUS: The beginning has been read.

THE PRESIDENT: Then what did you want to read?

DR. SERVATIUS: I should like to read the whole thing in order to show how far Sauckel --

THE PRESIDENT: Well, you see, beginning with the words "If in a Gau didtrict the statement was recently still made", that has been already, down to the bottom of that paragraph.

DR. SERVATIUS: I have here only a short notation. If it has been read entirely then I do not have to read it again.

Document No. 20, on page 56 in the English document book, deals with the service laibility of foreign female domestic helpers labor draft, where it is pointed out particularly that a forced transfer of foreign workers domestic employment would not be carried out; which shows again and underlaines the demand made by Sauckel that only voluntary workers should be taken for domestic employment.

Decree No. 21 establishes the Work Book. That is in the English text on Page 57. The purpose of the Work Book was such as Sauckel has stated here, to make possible a

H0146-0046

H0146-0047

registration of manpower so that one should not lose control and supervision, and first of all, in connection with that, the Eastern workers should benefit by an allocation of lines such as Sauckel has explained; a central office should be established and, on the basis of that, that should facilitate the transport of the workers back home at a later date. That was the measure of the Work Book.

Then we come to Document No. 22 of 23 July, 1943, about limitation of the udration of employment of Eastern workers, of employment contracts, where it is said, as a matter of principle, that the duration should be two years, with certain modifications, and that leaves and premiums should be granted for work accomplished a leave in Germany should be provided and, under certain conditions, a leave at home. For the vacations in Germany, such as can be seen here, special leave centers leave camps for Eastern workers had been established. The reason was that, on account of transport conditions and other circumstances, these workers could not make the trip home, especially if they came from districts which, in the meantime, were no more occupied by Germans.

Then there follows Decree No. 13. That is Document No. 23, on page 62 in the English Document Book. That decree deals with the safeguarding of order in industrial plants. It is the decree on the basis of which measures could be taken for the safeguarding of order and discipline. I have submitted them in order to show that they were valid as well for German as for foreign workers and there were no rules of exception which wbuld be directed against Eastern workers.

I refer to Document No. 26 then. That is Page 66 in the English Document Book. That is a decree of 24 July, 1944, according to which the position of domestic workers from the East should be put on an equal footing with that of the German workers as a matter principle. The hours are regulated, time off; that is every week the female domestic worker has to have a certain amount of free time. The question of vacations is regulated in Paragraph 7, that they will be granted a leave after twelve months.

THE PRESIDENT: Are those figures right in Document 26, Page 67 in the English Document Book? Working hours to fall between 6:00 o'clock in the morning and 9:00 o'clock at night?

DR. SERVATIUS: It says there: "The regular working hours, including intervals in preparation for work, are to fall between 0600 and 2100 hours, if special conditions do not call for other arrangements." That doesn't mean that the work

H0146-0048

should be done from 6:00 o'clock in the morning until 9:00 o'clock at night, but between these two extremes these people have to work. It means to say - -

The President: Are the figures correct?

DR. SERVATIUS: The figures are correct.

Document 27 deals with the conditions of foreign workers in industrial plants, their position in industrial plants. It is a decree by the German Labor Front. There are some principal statements made there. "The pleasure in work and willingness of German workers was not under any circumstances to be endangered by a material improvement in the position of foreign workers. Concerning the treatment of foreign workers, it must be taken into consideration that they came coluntarily to Germany and are making their labor available for the carrying out of tasks of military importance. In order to retain their pleasure in work, regard for their contract conditions, absolutely just treatment and general care and attention are presupposed."

Document 28 is the agreement between Ley and Sauckel on page 74 of the English document book, concerning the central inspectorate. It has already been submitted by the prosecution.

Document 30 deals with the tasks in detail and it is said there that the Reich Inspectorate has the following tasks: "The supervision of the execution of my regulations and decrees; on the basis of practical knowledge gained, the Reich Inspectorate shall make suggestions, propose improvements and foster mutual exchange of experiences."

The last document in that book deals with the establishment of French offices. In the English document book, that is on page 79 and is entitled "French agencies for the care of the French workers utilized in the Reich." I believe I have already read the document here. With that, I have finished document book one.

THE PRESIDENT: Very well, we will adjourn.

(The Tribunal adjourned until 3 June, 1946 at 1000 hours.)